

FILED 09 AUG 07 14:35 USDC-ORP

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JOHN L. CALVERT,

Plaintiff,

Civil No. 07-1466-JE

v.

ORDER

J.E. THOMAS,

Defendant.

HAGGERTY, District Judge:

Magistrate Judge Jelderks has issued a Findings and Recommendation [32] in this action. The Magistrate Judge recommends denying defendant's Motion to Dismiss for Lack of Subject Matter Jurisdiction [26] and recommends denying plaintiff's Motion for Judgment of Default [31]. No objections were filed, and the case was referred to this court.

The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b). When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation of the Magistrate Judge. *Campbell v. United States Dist. Ct.*, 501 F.2d 196 (9th Cir. 1974).

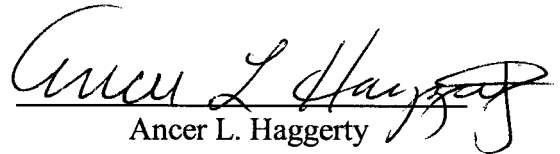
No clear error appears on the face of the record. This court adopts the Findings and Recommendation in its entirety.

CONCLUSION

The Findings and Recommendation [32] is adopted. Defendant's Motion to Dismiss [26] is DENIED and plaintiff's Motion for Judgment of Default [31] is DENIED.

IT IS SO ORDERED.

Dated this 7 day of August, 2009.


Ancer L. Haggerty
United States District Judge